

**RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an Agreement granting an Underground Electrical Easement to the El Paso Electric Company on a portion of Lots 25, Block 4, El Paso International Airport Tracts, Unit 2, City of El Paso, El Paso County, Texas to provide service to Dade Aviation, Inc. located at 7605 Boeing Drive. (District #2)

ADOPTED THIS 15<sup>th</sup> DAY OF June 2004.

\_\_\_\_\_  
Joe Wardy  
Mayor

ATTEST:

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

*for* *Marion Cullen-Johnson*  
\_\_\_\_\_  
Sylvia Borunda Firth  
Assistant City Attorney

ORIGINATING DEPARTMENT: AIRPORT

STATE OF TEXAS                     )  
  ) UNDERGROUND ELECTRICAL EASEMENT  
COUNTY OF EL PASO            )

For and in consideration of the sum of one dollar and No/100 (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the City of El Paso ("Grantor") grants unto El Paso Electric Company ("Grantee"), its successors and assigns, the right, privilege, and easement to enter upon, erect, construct, operate and maintain an underground electrical system consisting of one (1) transformer (conventional or pad mount), ducts, conduits, fixtures, manholes, handholds, vaults, and other usual appurtenances pertaining thereto, and an underground crossing with all necessary wires pertaining thereto, with the right of access, ingress and egress thereto, for the installation, operation, inspection, repair, maintenance, replacement, renewal or removal thereof, for the distribution of electricity, or any and all purposes for which same is or may hereafter be used, over, upon, and along the following described premises in El Paso County, Texas, to wit:

Lots 25, 26 and 27, Block 4, El Paso International Airport Tracts, Unit 2, El Paso County, Texas municipally known and numbered as 7605 Boeing Drive, El Paso, Texas

This easement shall be for the term of the Grantee's franchise and any extension and renewal thereof by the Grantor, but in no event shall the easement run longer than forty (40) years from the date hereof.

In accepting this grant, Grantee agrees that it will repair or restore, as reasonable, landscaping and paving if disturbed by Grantee as a result of construction, maintenance or repairs of or to its facilities in and upon such easement.

Grantor reserves the right to full use and enjoyment of said property except for the purposes herein granted.

Grantor will not be held responsible for any damage to Grantee's underground facility for excessive erosion due to flood run-off.

Should Grantee abandon the easement then the easement hereinabove described shall revert to Grantor or its successor and assigns. Such abandonment shall be conclusively presumed following non-use by the Grantee for one year and with use not being resumed within sixty (60) days following receipt of notice of abandonment from Grantor to Grantee, and on such abandonment, Grantee will then execute any and all necessary documents to evidence such abandonment.

Grantee shall maintain the easement in accordance with applicable City Code provisions.

WITNESS THE FOLLOWING SIGNATURES AND SEAL this 15th day of June, 2004.

ATTEST

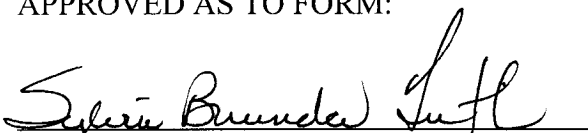
CITY OF EL PASO

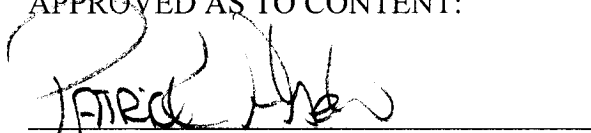
\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

\_\_\_\_\_  
Joe Wardy  
Mayor

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Sylvia Borunda Firth  
Assistant City Attorney

  
\_\_\_\_\_  
Patrick T. Abeln, A.A.E.  
Director of Aviation

ATTEST:

GRANTEE: THE EL PASO ELECTRIC  
COMPANY

\_\_\_\_\_  
Name: \_\_\_\_\_

\_\_\_\_\_  
Name: \_\_\_\_\_  
\_\_\_\_\_  
Title: \_\_\_\_\_

THE STATE OF TEXAS    )  
                                      )  
COUNTY OF EL PASO    )

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2004,  
by Joe Wardy as Mayor of the City of El Paso, Texas.

\_\_\_\_\_  
Notary Public, State of Texas

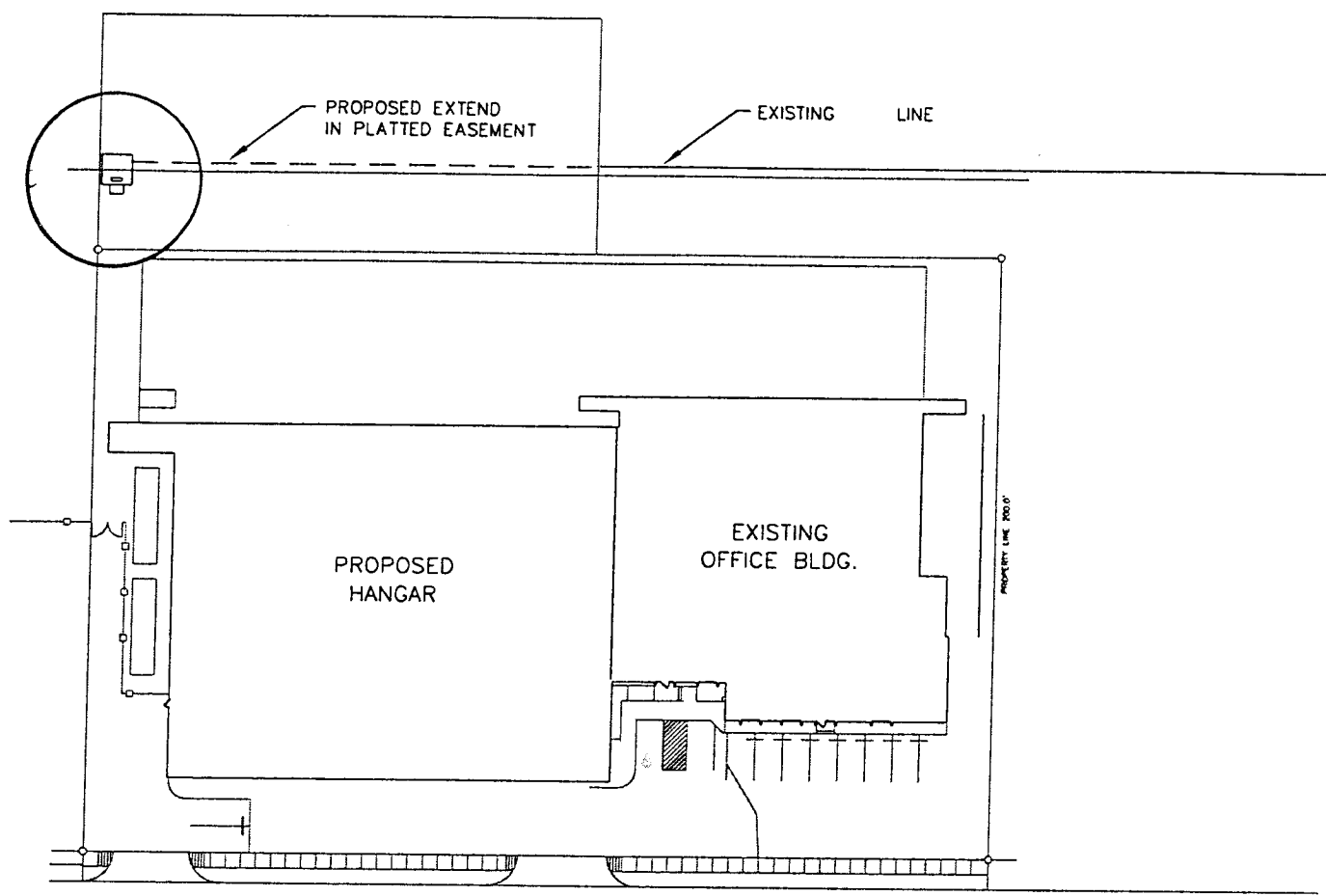
\_\_\_\_\_  
My Commission Expires:

THE STATE OF \_\_\_\_\_)  
                                      )  
COUNTY OF \_\_\_\_\_)

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2004,  
by \_\_\_\_\_, as \_\_\_\_\_, for the El Paso Electric Company.

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_

\_\_\_\_\_  
My Commission Expires:



BOEING

# LEGEND



12' X 16' TRANSFORMER EASEMENT

GRANTORS INITIALS \_\_\_\_\_

Return to:  
El Paso Electric Co.  
P.O. Box 982-Loc 501  
El Paso, TX. 79960

PROPOSED EASEMENT IN A PORTION OF  
LOT 25, BLOCK 4, EL PASO  
INTERNATIONAL TRACTS UNIT 2  
EL PASO COUNTY, TEXAS

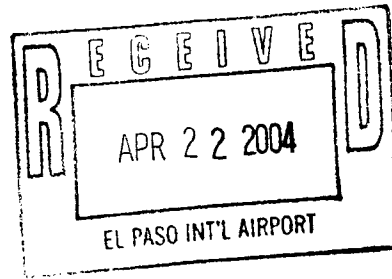
EL PASO ELECTRIC CO. R.O.W.

DATE 04-20-04

SCALE NONE

EST. NO.

04-7-1-70055



P.O. Box 982  
El Paso, Texas  
79960-0982  
(915) 543-5711

April 21, 2004

*Please review this electrical  
easement and return to Ceci  
ASAP:*

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El P

Dear Mr. Moore:

RE: DADE AVIATION/7605 BOEING

El Paso Electric Company has been requested to serve the proposed business at the captioned location, with underground electric service. Due to the fact that there is a 10' wide platted easement on the subdivision plat we only need a 12'x16' easement for the transformer as is shown on the enclosed print.

If you concur with this request please process in the usual manner. If you do not concur or have any questions or comments please contact me at 543-4176.

Sincerely;

*William C. Eggleston*  
William C. Eggleston SR/WA  
Senior R-O-W Specialist III

Mr. A.

Paige

Al Jones

Monica